

**OCT 10 2007**

**NOT FOR PUBLICATION**

**UNITED STATES COURT OF APPEALS**

**CATHY A. CATTERSON, CLERK  
U.S. COURT OF APPEALS**

**FOR THE NINTH CIRCUIT**

ZENAIDA HERNANDEZ AGUILAR,

Petitioner,

v.

PETER D. KEISLER,\*\* Acting Attorney  
General,

Respondent.

No. 07-71221

Agency No. A95-310-072

MEMORANDUM\*

On Petition for Review of an Order of the  
Board of Immigration Appeals

October 1, 2007\*\*\*

Before: B. FLETCHER, BERZON and IKUTA, Circuit Judges.

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\* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

\*\* Peter D. Keisler is substituted for his predecessor, Alberto R. Gonzales, as Acting Attorney General of the United States, pursuant to Fed. R. App. P. 43(c)(2).

\*\*\* The panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

07-71221

Zenaida Hernandez Aguilar petitions for review of the Board of Immigration Appeals' ("BIA") order affirming the Immigration Judge's order denying her application for cancellation of removal.

We have reviewed the response to the court's order to show cause, and we conclude that petitioner has failed to raise a colorable constitutional or legal claim to invoke our jurisdiction over this petition for review. This court has upheld the constitutionality of the Board of Immigration Appeals' streamlining procedures. *See Falcon Carriche v. Ashcroft*, 350 F.3d 845 (9th Cir. 2003); *Torres-Aguilar v. INS*, 246 F.3d 1267, 1271 (9th Cir. 2001). Moreover, this court has held that the Nicaraguan Adjustment and Central American Relief Act special rule cancellation does not violate equal protection. *Jimenez-Angeles v. Ashcroft*, 291 F.3d 594, 602-03 (9th Cir. 2002); *Ram v. INS*, 243 F.3d 510, 517 (9th Cir. 2001). Accordingly, the court *sua sponte* dismisses this petition for review in part for lack of jurisdiction. *See* 8 U.S.C. § 1252(a)(2)(B)(i); *Romero-Torres v. Ashcroft*, 327 F.3d 887, 892 (9th Cir. 2003); *Montero-Martinez v. Ashcroft*, 277 F.3d 1137, 1144 (9th Cir. 2002).

07-71221

The remaining questions raised by this petition for review are so insubstantial as not to require further argument. *See United States v. Hooton*, 693 F.2d 857, 858 (9th Cir. 1982) (per curiam) (stating standard). Substantial evidence supports the BIA's finding that petitioner cannot establish good moral character because she paid a smuggler to help her son enter the United States. *See* 8 U.S.C. § 1182(a)(6)(E)(i); *Altamirano v. Gonzales*, 427 F.3d 586, 592-93 (9th Cir. 2005); *Moran v. Ashcroft*, 395 F.3d 1089, 1092-95 (9th Cir. 2005).

All other pending motions are denied as moot. The temporary stay of removal shall continue in effect until issuance of the mandate.

**PETITION FOR REVIEW DISMISSED in part; DENIED in part.**